IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

Crl.Rev.Pet.No. 4163 of 2007()

CRA.241/2003 of SESSIONS COURT, THRISSUR
ST.5597/1998 of JUDL. MAGISTRATE OF FIRST CLASS COURT, KODUNGALLUR

.....

REVN. PETITIONER: PETITIONER/APPELLANT/ACCUSED

SYAMLAL, AGED 40 YEARS, S/O. PARAKKOOTT SANKARANARAYANAN, KIZHAKKUMMURI, THRISSUR TALUK.

BY ADV. SRI.P.K.SAJEEV

RESPONDENTS: RESPONDENTS/COMPLAINANT

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1. JAYAPRAKASAN, S/O. GOPALAN, ERANEZHATH VENGALI, THALIKKULAM P.O., CHAVAKKAD TALUK.

2. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.M.H.HANIL KUMAR
PUBLIC PROSECUTOR SRI.C.M.NAZAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 21/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 4163 of 2007

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Dated this the 21st day of November, 2007

ORDER

The accused in ST. No.5597/1998 on the file of the Judicial First Class Magistrate, Kodungallur for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No.12288 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

sj

V. RAMKUMAR, J.

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Crl.R.P. No.

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Dated this the day of October, 2007

ORDER

The accused in C.C. / ST. No.....on th**e file** of the J.F.C.M, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, JUDGE

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